

TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

MINUTES OF BOARD MEETING

OCTOBER 9, 2007

President Bob Foster called the meeting to order at 10:00 A.M. in Conference Room 160, Davy Crockett Tower, Nashville, Tennessee.

Board members present were Bob Foster, President, Dennis Hamilton, Steve Murphy, Ruthie Reynolds and David Murphy. Members absent were Wendy Hellum, Vice President, and Ralph Buckner.

Staff members present were Robert Gribble, Executive Director, Adrian Chick, Staff Attorney, and Jimmy Gossett, Administrative Assistant.

APPROVAL OF MINUTES:

A motion was made by Mr. Dennis Hamilton to approve the minutes of the August 14, 2007, Board Meeting.

Seconded by Mr. David Murphy

Adopted by voice vote

APPROVAL OF INDIVIDUAL LICENSES:

Upon motion, based upon the application records, the following individual was approved for licensure.

**Adam Lynn Light
Mount Carmel, TN**

Funeral Director & Embalmer

APPROVAL OF ESTABLISHMENT LICENSES:

Upon motion, based upon the application records, the following establishments were approved for licensure.

**Change of Ownership
Cryer Funeral Home, LLC
Obion, TN**

New Ownership: LLC

**Change of Ownership
Karnes & Son Funeral Home
Dyer, TN**

New Ownership: Corporation

Changes of Name and Ownership
Karnes & Son Funeral Home
Kenton, TN

New Ownership: Corporation

Change of Ownership
Mundy Funeral Home
Jamestown, TN

New Ownership: Partnership

Change of Ownership
Mundy Funeral Home South Chapel
Clarkrange, TN

New Ownership: Partnership

Change of Ownership
Ronk Funeral Home
Alamo, TN

New Ownership: Partnership

LEGAL REPORT:
ADRIAN CHICK, STAFF ATTORNEY

1. Case No.: L07-FUN-RBS-2007074981

An investigation on July 16, 2007 revealed the following violations:

- FTC Rules – “Use of facilities and staff for memorial service” is required, but not present, on the General Price List.
- FTC Rules – Ranges for “direct cremation and immediate burial” are required, but not present, on the General Price List.
- FTC Rules – Price listed under “immediate burial with alternative container” is not consistent with price of alternative containers.
- FTC Rules – The price listed under “immediate burial with 20 gauge non-protective casket” on the General Price List is incorrect.
- FTC Rules – The General Price List does not contain required disclosures.
- FTC Rules – The Outer Burial Container Price List does not contain required disclosures.
- TCA 62-5-308(d) – An embalmer’s license was not available at the time of inspection.
- TCA 62-5-107(2) – The current license of the crematory used and its latest inspection report are not available for inspection.

No response has been received.

Complaint History: 2006034841 – Consent Order of \$750 paid for essentially the same FTC violations and violation of TCA 62-5-107(2) (failure to have copy of license and inspection report for crematory).

Recommendation: Consent Order assessing civil penalty of \$1,000 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation and further stipulated that an inspection be conducted no later than January 20, 2008 to determine if the corrections have been made.

Seconded by Mr. Steve Murphy

Adopted by voice vote

2. Case No.: L07-FUN-RBS-2007075161

An inspection on May 23, 2007 revealed the following violations:

- FTC Rules – No casket price list was presented for inspection.
- FTC Rules – Prices shown for immediate burial are inconsistent with prices on General Price List.
- FTC Rules – Outer Burial Container price range of General Price List is inconsistent with Outer Burial Container Price List.

No response has been received.

Complaint History: None

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Ms. Ruthie Reynolds

Adopted by voice vote

3. Case No.: L07-FUN-RBS-2007075381

An inspection on July 9, 2007 revealed the following violations:

- FTC Rules – Statement of Funeral Goods and Services did not provide reason for embalming.
- FTC Rules – Casket Catalogue does not include price to be charged.
- FTC Rules – Casket Catalogue does not include alternative containers.
- TCA 62-5-308(d) – The current license of an embalmer was not available for inspection.

Response received September 3, 2007.

Complaint History: 2006034781 – Consent Order of \$750 paid for similar FTC violations.

Recommendation: Consent Order assessing civil penalty of \$750 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation and further stipulated that an inspection be conducted no later than January 20, 2008 to determine if the corrections have been made.

Seconded by Mr. Steve Murphy

Adopted by voice vote

4. Case No.: L07-FUN-RBS-2007069491

The complainant alleges that the consumer ordered a headstone for her aunt in August, 2006 and made a down payment of \$400. In May, 2007, she called to inquire about the placement of the headstone and was informed that the wrong color may have been ordered. In July 2007, she was informed that the headstone had been "reordered". The manufacturer informed the complainant however that there had been no previous order. The marker was finally placed on October 4, 2007 – 14 months after the original order.

The Respondent acknowledges that the complainant "has a legitimate complaint", but states that it did order the monument in August 2006 and suggests that the manufacturer must have lost the order.

Complaint History: 946791 and 200316589

Recommendation: Consent Order assessing civil penalty of \$500 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

5. Case No.: L07-FUN-RBS-2007013211 and

6. Case No.: L07-FUN-RBS-2007071331

On June 13, 2007, an inspector witnessed an interment service at the Chattanooga National Cemetery. After the service was concluded, the inspector

found that the individual conducting the service, as well as his establishment, is licensed in Georgia but not Tennessee.

The Respondent acknowledges that it was in charge of this particular service, but states that “it is my understanding that upon arrival at Chattanooga National Cemetery at their designated date and time for the interment service that their employees assume all responsibilities for the committal of the deceased person’s body in the cemetery.”

Complaint History: None.

Recommendation: Consent Order assessing civil penalty of \$500 against the establishment for unlicensed conduct and authorization for hearing. Letter of Warning against the individual respondent.

President Foster recused himself, and in the absence of Vice President Hellum appointed Mr. Steve Murphy to “chair” the hearing of this complaint.

A motion was made by Mr. David Murphy to accept Counsel’s recommendation.

Seconded by Ms. Ruthie Reynolds

Adopted by voice vote

Member(s) noted as voting to the contrary of the voice vote conclusion:
Mr. Dennis Hamilton

7. Case No.: L07-FUN-RBS-2007074951

An inspection on June 12, 2007 revealed the following violations:

- FTC Rules – “Other preparation of body” fails to describe services.
- FTC Rules – The General Price List does not include a necessary disclosure, “A complete list will be provided at the funeral home.”
- FTC Rules – The price range for immediate burials is inconsistent.
- FTC Rules – The price range for direct cremation is inconsistent.
- FTC Rules – The Outer Burial Container Price List does not include a description of merchandise.

The Respondent states that the above discrepancies have been corrected.

Complaint History: 200104888 – Closed.

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Ms. Ruthie Reynolds to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

8. Case No.: L07-FUN-RBS-2007071591

An inspection on June 28, 2007 revealed the following violations:

- TCA 62-5-107 – Telephone number of crematory used was not listed on any of the four cremation authorization forms inspected;
- TCA 62-5-107 – The name and address of the crematory used was not listed on one of the four cremation authorization forms inspected;
- TCA 62-5-107 – The license of the crematory used was not maintained.
- FTC Rules – The General Price List and the Casket Price List are inconsistent regarding alternative containers offered.

The Respondent states that it has implemented immediate corrective action to prevent these discrepancies and has supplied updated price lists.

Complaint History: 200604553 – Closed (unrelated).

Recommendation: Consent Order assessing civil penalty of \$500 and authorization for a hearing.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. Dennis Hamilton

Adopted by voice vote

9. Case No.: L07-FUN-RBS-2007060631

An inspection on April 24, 2007 revealed the following violations:

- Rule 0660-4-.03 [Change of Ownership] – A change of ownership occurred on January 1, 2007 but the Board had not been notified.
- TCA 62-5-107 – Copy of license and latest inspection report of crematory used is not available for inspection.
- FTC Rules – Caskets in selection room do not agree with the Casket Price List.
- FTC Rules – Range of casket prices on the General Price List does not agree with Casket Price List.

- FTC Rules – General Price List does not contain price for receiving remains from another funeral home.
- FTC Rules – General Price List lacks two required disclosures (casket price range and Outer Burial Container price range).

No response was received.

Complaint History: 200504277 - Closed.

Recommendation: Consent Order assessing civil penalty of \$750 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

10. Case No.: L07-FUN-RBS-2007081371 and

11. Case No.: L07-FUN-RBS-2007081341

An inspection on September 25, 2007 revealed the following violations:

- TCA 62-5-107 – Cremation authorization form was not signed by a licensed funeral director.
- TCA 62-5-309 and 62-5-317(b)(6) – The Respondent establishment allowed an unlicensed individual to act as a funeral director by signing a cremation authorization form and release of remains as "funeral director".

The Respondents establishment and the unlicensed individual apologize for the error and state that it was merely an oversight, and not intended.

Complaint History: Eight against establishment (all closed). None against the individual.

Recommendation: Consent Order assessing civil penalty of \$750 against the establishment and letter of warning to the individual.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

12. Case No.: L07-FUN-RBS-2007062221,

13. Case No.: L07-FUN-RBS-2007069821,

14. Case No.: L07-FUN-RBS-2007069811 and

15. Case No.: L07-FUN-RBS-2007082171

Information was received that the establishment was using an unlicensed person to embalm bodies. During the course of investigation, it was revealed that an unlicensed person had embalmed without supervision on behalf of the Respondent establishment. It was further revealed that the certificate of death for this body was later signed by a licensed embalmer at the direction of the establishment's manager. The unlicensed person and the manager deny the allegations. The licensed embalmer who signed the certificate of death admits the allegations, and this admission is corroborated by a cosmetologist.

Complaint History: None related.

Recommendation:

- **Consent Order assessing civil penalty of \$1,000 against the establishment for aiding or abetting unlicensed conduct;**
- **Consent Order assessing civil penalty of \$1,000 against the manager of the establishment for aiding or abetting unlicensed conduct;**
- **Consent Order assessing civil penalty of \$1,000 against the unlicensed person who embalmed the body; and**
- **Consent Order assessing civil penalty of \$1,000 against the licensed embalmer who signed the certificate of death.**
- **Authorization to set each matter for hearing if consent order is not accepted.**

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

16. Case No.: L07-FUN-RBS-2007069831

The respondent was originally named in the previous complaint as a licensed funeral director working at the establishment, but the investigation did not reveal participation on his part.

Recommendation: Dismiss

A motion was made by Ms. Ruthie Reynolds to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

17. Case No.: L07-FUN-RBS-2007077631

This complaint alleges that the respondent, although aware that the complainant intended to scatter the remains, released cremated remains to him that contained large bone fragments.

The respondent states that although scattering was mentioned, it was not informed that the complainant definitely intended to scatter the remains. The Respondent advised the complainant that he would have to seek permission from the cemetery prior to scattering ashes. Not hearing further, the respondent prepared the cremated remains as normal. If the Respondent had been made aware of definite plans for scattering, it would have processed the remains further. Bone fragments are normally found in cremated remains.

Recommendation: Dismiss. No violation of statute or rule established.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Ms. Ruthie Reynolds

Adopted by voice vote

18. Case No.: L07-FUN-RBS-2007071525

An inspection on June 28, 2007 revealed the following violation:

- TCA 62-5-313 – A casketed body lacks a permanent identification device.

The Respondent regrets the violation and will not let it happen again.

Complaint History: One closed.

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Ms. Ruthie Reynolds to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

19. Case No.: L07-FUN-RBS- 2007071511

An inspection on June 20, 2007 revealed the following violations:

- FTC Rules – High to low range for caskets on the General Price List does not match the Casket Price List.
- FTC Rules – High to low range for outer burial containers on the General Price List does not agree with the Outer Burial Container Price List.
- TCA 62-5-107 – A copy of the license and latest inspection report for the crematory used were not available at time of inspection.
- TCA 62-5-107 – Cremation authorization forms inspected did not contain signature of funeral director.

The Respondent states that it has updated its price lists.

Complaint History: One closed.

Recommendation: Consent Order assessing civil penalty of \$375 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

20. Case No.: L07-FUN-RBS-2007075341

An inspection on July 5, 2007 revealed the following violations:

- TCA 62-5-308 – The current license of an embalmer was not present. According to the field representative, this embalmer works both on-site and off-site.
- TCA 62-5-107 – A copy of the license and latest inspection report for the crematory used was not available at time of inspection.
- TCA 62-5-313 – A casketed body lacked a permanent identification device.

The Respondent admits failing to obtain a copy of the embalmer's license. The cremation forms were at the establishment, but could not be located at the time

due to preparation for an upcoming visitation. The laminator was heating up at the time the field representative walked in the door.

Complaint History: One (1) closed.

Recommendation: Consent Order assessing civil penalty of \$500 and authorization for hearing.

A motion was made by Ms. Ruthie Reynolds to accept Counsel's recommendation.

Seconded by Mr. Dennis Hamilton

Adopted by voice vote

21. Case No.: L07-FUN-RBS-2007071491

An inspection on July 19, 2007 revealed the following violations:

- FTC Rules – Low to high range on the General Price List does not match the Casket Price List.
- FTC Rules – Required disclosures not provided on the General Price List.
- FTC Rules – Seven of eleven statements checked lacked description of merchandise selected.
- FTC Rules – Five of eleven statements checked lacked reason for embalming.

The Respondent has updated price lists and statements to correct violations.

Complaint History: Six closed.

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

22. Case No.: L07-FUN-RBS-2007075301

An inspection on July 5, 2007 revealed the following violations:

- TCA 62-5-107 – A copy of the license and latest inspection report of the crematory used was not available for inspection.
- FTC Rules – Eight caskets offered for sale are not on Casket Price List.

The Respondent admits all violations and has made corrections as necessary.

Complaint History: None.

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Ms. Ruthie Reynolds

Adopted by voice vote

23. Case No.: L07-FUN-RBS-2007071311

This complaint alleges that the Respondent quoted inconsistent prices for obituaries, changed casket prices, pierced the deceased's ears without permission, and was very rude and unprofessional throughout the process.

The complainant was given the option of using a free obituary with limited lines or the one she chose. The casket price changed only because the complainant changed her mind regarding the casket. The earrings used were supplied by the complainant. The Respondent made every effort to accommodate the complainant and honor her requests.

Complaint History: Numerous, all closed.

Recommendation: Dismiss.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. Dennis Hamilton

Adopted by voice vote

24. Case No.: L07-FUN-RBS-2007075191

An inspection on June 11, 2007 revealed the following violations:

- TCA 62-5-107 – A copy of the license and latest inspection report of the crematory used were not available at time of inspection.

- TCA 62-5-308 – The license of an embalmer was not available for inspection.
- FTC Rules – Several statements checked did not have reason for embalming.

The Respondent admits the statute violations but states that the statements checked were those where a “package” had been chosen, and there was no specific charge for embalming, therefore the reason for embalming was not necessary.

Complaint History: None

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. Steve Murphy to accept Counsel’s recommendation.

Seconded by Mr. Dennis Hamilton

Adopted by voice vote

25. Case No.: L07-FUN-RBS-2007075061

An inspection on August 15, 2007 revealed the following violations:

- TCA 62-5-107 – A copy of the license and latest inspection report for the crematory used were not available for inspection.
- FTC Rules – The General Price List does not contain ranges for direct cremation and immediate burial.
- FTC Rules – The high to low range on the General Price List does not match the Casket Price List.
- FTC Rules – Two caskets offered for sale are not on the Casket Price List.
- FTC Rules – One outer burial container offered for sale is priced inconsistent with the Outer Burial Container Price List.

The Respondent admits most of the FTC violations and the statute violation and notes that it has made corrections within 24 hours.

Complaint History: None.

Recommendation: Consent order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Ms. Ruthie Reynolds to accept Counsel’s recommendation.

Seconded by Mr. Dennis Hamilton

Adopted by voice vote

26. Case No.: L07-FUN-RBS-2007074871

An inspection on August 15, 2007 revealed the following violations:

- TCA 62-5-107 – A copy of the license and latest inspection report for the crematory used was not available at time of inspection.
- FTC Rules – The General Price List lacks ranges for direct cremation and immediate burial.
- FTC Rules – A casket in the selection room is not on the Casket Price List.

The Respondent admits statute violations and made corrections as necessary. The price lists have been updated.

Complaint History: None.

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Ms. Ruthie Reynolds to accept Counsel's recommendation.

Seconded by Mr. Steve Murphy

Adopted by voice vote

27. Case No.: L07-FUN-RBS-2007074911

An inspection on June 14, 2007 revealed the following violations:

- TCA 62-5-107 – Cremation authorization form not retained in files.
- FTC Rules – Statement of Funeral Goods and Services for two deceased individuals showed that the customer was charged twice for funeral ceremony.

The Respondent states that the overcharge was an unintentional copying mistake and that money has been refunded as appropriate. The cremation form was later located and the file has been updated.

Complaint History: One closed.

Recommendation: Consent Order assessing civil penalty of \$250 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel's recommendation.

Seconded by Mr. Dennis Hamilton

Adopted by voice vote

28. Case No. L07-FUN-RBS-2007055701

This complaint alleges that the respondent, a licensed funeral director, submitted a false date of birth, false social security number, and false information regarding prior felony convictions on an application for funeral director license.

No response has been requested or received.

Complaint History: None.

Recommendation: Consent Order for the voluntary revocation of his funeral director license and authorization for hearing.

This Respondent has not been located and may be in federal custody. His license is currently expired and the Board has no indication that he is practicing within the funeral industry. Legal recommends the case be closed, with the right to re-open if he should apply for future licensure.

A motion was made by Mr. Steve Murphy to accept Counsel's recommendation.

Seconded by Mr. David Murphy

Adopted by voice vote

29. Case No.: L07-FUN-RBS-2007071541

An inspection on July 12, 2007 revealed the following violations:

- TCA 62-5-304 – Price lists and Statement of Funeral Goods and Services show an establishment name different than the name registered with the Board.
- TCA 62-5-107 – Cremation authorization form for deceased not retained in file.
- TCA 62-5-107 – A copy of the license and latest inspection report for the crematory used were not available for inspection.
- FTC Rules – Price for embalming listed in General Price List is inconsistent with charge on statements.

- FTC Rules – Prices on the General Price List for direct cremation, immediate burial, range for caskets, and range for outer burial containers is inconsistent.
- FTC Rules – Six required items for the General Price List are listed as “no charge”, which is prohibited.
- FTC Rules – Outer Burial Container Price List lacks required disclosure.

The Respondent has submitted an updated price list.

Complaint History: Three closed.

Recommendation: Consent order assessing civil penalty of \$600 and authorization for hearing.

A motion was made by Mr. David Murphy to accept Counsel’s recommendation.

Seconded by Ms. Ruthie Reynolds

Adopted by voice vote

**ADMINISTRATIVE MATTERS:
ROBERT B. GRIBBLE, EXECUTIVE DIRECTOR**

**REPORT OF LICENSES ISSUED AUGUST 14, 2007 – OCTOBER 8, 2007
BY EXECUTIVE DIRECTOR AS PER BOARD AUTHORITY**

Establishments

Sykes Crematory 413 Franklin Street Clarksville, TN	New Establishment
Jackson County Funeral Home – Cremation Services 402A East Gore Avenue Gainesboro, TN	New Establishment
Memphis Funeral Home 3700 North Germantown Parkway Bartlett, TN	Change of Name
Sequatchie Valley Memorial Funeral Home and Gardens, Inc.	Change of Name

24 Mountain View Drive
Jasper, TN

McCarty – Evergreen Funeral Home
7426 Asheville Highway
Knoxville, TN

Change of Name

Mount Olivet Funeral Home & Cemetery
1101 Lebanon Pike
Nashville, TN

Change of Name

Burns-Garrison-Short
Funeral & Cremation Providers
530 Third Avenue South, Suite 4
Nashville, TN

Change of Name

Individuals

Amy Leigh Hitchcock
Memphis, TN

Funeral Director & Embalmer

Joshua Wayne Johnson
Bristol, TN

Funeral Director & Embalmer

Alexander Jacob Vanderwall
Dayton, TN

Funeral Director & Embalmer

Matthew Lewis Woody
Cosby, TN

Funeral Director & Embalmer

Wayne Dennis Perkins, Jr.
Tullahoma, TN

Funeral Director & Embalmer
Reciprocity

John Andrew Pavlek
Nashville, TN

Funeral Director & Embalmer
Reapplication

Deborah Lynn Johnson
Johnson City, TN

Funeral Director

Jeff D. Wilder
Blountville, TN

Funeral Director
Reapplication

Closed Establishment Report:

One establishment has closed since the last board meeting:

- **Crawford Franklin Chapel, 4247 South Carothers Road, Franklin, TN**

Disciplinary Action Report:

The Board has previously authorized these consent orders and civil penalties. The Consent Orders have been signed and the civil penalties paid by the respondents. The Executive Director requests the Board's acceptance of the following consent orders.

Complaint No. 2007054391

Violation: FTC price violations, licenses of funeral directors and embalmers were not available for inspection and failure to notify board of change of ownership

Action: \$500 Civil Penalty

Complaint No. 2007063811

Violation: FTC price violations and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses

Action: \$400 Civil Penalty

Complaint No. 2007062231

Violation: FTC price violations and licenses of funeral directors and embalmers were not available for inspection

Action: \$500 Civil Penalty

Complaint No. 2007062241

Violation: FTC price violations

Action: \$250 Civil Penalty

Complaint No. 2007063761

Violation: FTC price violations and licenses of funeral directors and embalmers were not available for inspection

Action: \$350 Civil Penalty

Complaint No. 2007056001

Violation: FTC price violations, overcharging consumers by charging for services separately that should have been included in charges for other services, failure to maintain a copy of cremation authorization and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses

Action: \$375 Civil Penalty

Complaint No. 2007063821

Violation: FTC price violations and licenses of funeral director and embalmer were not available for inspection
Action: \$250 Civil Penalty

Complaint No. 2007062251

Violation: Failure to maintain a copy of numerous cremation authorizations and operating establishment under a name other than the one registered with the board
Action: \$500 Civil Penalty

Complaint No. 2007049811

Violation: Advertising an establishment location that has not been licensed
Action: \$250 Civil Penalty

Complaint No. 2007062221

Violation: FTC price violations, licenses of funeral director and embalmer were not available for inspection and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses
Action: \$500 Civil Penalty

Complaint No. 2007069791

Violation: Unprofessional conduct (contacting family on the day of funeral immediately prior to procession line-up stating there was a financial problem with the burial policy which delayed the interment for two days)
Action: \$500 Civil Penalty

Complaint No. 2007056011

Violation: FTC price violations, cremation authorization lacks signature of the funeral director and failure to maintain a copy of current license and latest inspection report for the crematory that the funeral home uses
Action: \$500 Civil Penalty

Complaint No. 2007060541

Violation: FTC price violations, manager whose license as a funeral director had expired held himself out to be a licensed funeral director, funeral home displayed expired license and knew funeral director held himself out to be a licensed funeral director
Action: \$750 Civil Penalty

Complaint No. 2007068001

Violation: Failure to furnish consumer with a completed written contract for services to be performed at the conclusion of funeral arrangements

Action: \$250 Civil Penalty

A motion was made by Mr. Steve Murphy to approve the Executive Director's request for the Board's acceptance of the above listed Consent Orders.

Seconded by Mr. David Murphy

Adopted by voice vote

Open Complaint Report:

As of October 5, 2007, there were 95 open complaints.

Cancellation of December 11, 2007 Board Meeting:

The Executive Director requested the December 2007 Board meeting be canceled.

By unanimous consent, the Board approved the Executive Director's request.

ADJOURN:

A motion was made by Mr. David Murphy to adjourn.

Seconded by Ms. Ruthie Reynolds

Adopted by voice vote

There being no further business, the meeting was adjourned by President Foster at 11:15 A.M.

Respectfully submitted,

Robert B. Gribble

Robert B. Gribble, CFSP
Executive Director